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BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

Arizona Corporation Commission

DOCKETED

AUG - 8 2008

MIKE GLEASON - Chairman
WILLIAM A. MUNDELL
JEFF HATCH-MILLER
KRISTIN K. MAYES
GARY PIERCE

DOCKETED BY

mn

IN THE MATTER OF THE APPLICATION
OF AMERICATEL CORPORATION AND
STARTEC GLOBAL OPERATING
COMPANY FOR APPROVAL OF A PRO
FORMA RESTRUCTURING AND OTHER
RELATED APPROVALS.

DOCKET NO. T-03517A-07-0633
DOCKET NO. T-20522A-07-0633

DECISION NO. **70443**

ORDER EXTENDING TIME
DEADLINE CONTAINED IN
DECISION NO. 70218

Open Meeting
July 29 and 30, 2008
Phoenix, Arizona

BY THE COMMISSION:

Having considered the entire record herein and being fully advised in the premises, the Arizona Corporation Commission ("Commission") finds, concludes, and orders that:

FINDINGS OF FACT

1. On November 11, 2007, Americatel Corporation ("Americatel") and Startec Global Operating Company ("Startec" together with Americatel, the "Companies") jointly filed with the Arizona Corporation Commission ("Commission") an application requesting approval of a pro forma corporate restructuring involving the merger of the Companies, with Americatel as the surviving entity.

2. On March 27, 2008, the Arizona Corporation Commission ("Commission") issued Decision No. 70218 ("Decision") approving the Companies' application. Pursuant to the Decision, Americatel was required to file the following compliance items:

1. Inform the Commission of the date the last Startec customer was transferred to Americatel within 90 days of a Decision in this matter.
2. Submit to Docket Control revisions to its tariff to adopt those portions of Startec's tariffs relating to Startec's service offerings within thirty days of a Decision in this matter.

- 1 3. Submit to Docket Control verification that the merger has been completed
2 within 30 days following the merger date proposed in this transaction.

3 3. Given the March 27, 2008, date of the Decision, the earliest compliance item would
4 have been due from the Americatel on or about April 27, 2008.

5 4. On April 22, 2008, the Companies filed a Notice of Status and Request for Extension
6 of Compliance Deadlines ("Motion"), requesting a 270-day extension for filing the above-stated
7 compliance items. According to the Companies' Motion, the merger between Startec and Americatel
8 has yet to be finalized. The Companies state that parties involved in the merger have been unable to
9 finalize an amended and restated credit agreement, restricting their ability to complete the merger. As
10 such, the Companies are unable to comply with certain terms of the Decision.

11 5. On June 23, 2008, the Commission's Utilities Division Staff ("Staff") filed a Staff
12 Report recommending approval of the Companies' Motion for a 270-day extension of time to comply
13 with the Decision.

14 6. The Companies made a timely request to extend the compliance deadlines set forth in
15 Decision No. 70218. Given the current status of the transaction, it is not possible for the Americatel
16 to comply with the requirements of the Decision. Therefore, we find that the Companies' request for
17 an extension of time is reasonable and should be granted.

18 CONCLUSIONS OF LAW

19 1. Americatel Corporation and Startec Global Operating Company are a public service
20 corporations within the meaning of Article XV of the Arizona Constitution and A.R.S. §§40-281 and
21 40-282.

22 2. The Commission has jurisdiction over Americatel Corporation and Startec Global
23 Operating Company and the subject matter of the Request for Additional Time to Comply with
24 Commission Decision No. 70218.

25 3. Staff's recommendation is reasonable and should be adopted.

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1 SERVICE LIST FOR: AMERICATEL CORPORATION AND STARTEC GLOBAL
2 OPERATING COMPANY

3 DOCKET NOS. T-03517A-07-0633 AND T-20522A-07-0633

4 Michael Hallum
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7 Janice Alward, Chief Counsel
8 Legal Division
9 ARIZONA CORPORATION COMMISSION
1200 West Washington Street
Phoenix, AZ 85007

10 Ernest G. Johnson, Director
11 Utilities Division
12 ARIZONA CORPORATION COMMISSION
1200 West Washington
Phoenix, AZ 85007

ORDER

IT IS THEREFORE ORDERED that Americatel Corporation's and Startec Global Operating Company's Notice of Status and Request for Extension of Compliance Deadlines for Decision No. 70218, is granted, extending the compliance deadline for 270 days from the effective date of this Decision.

IT IS FURTHER ORDERED that this Decision shall become effective immediately.

BY ORDER OF THE ARIZONA CORPORATION COMMISSION.

Lawell S. Hession
CHAIRMAN

COMMISSIONER

Stephen H. Hession
COMMISSIONER

Dr. M. J. Hession
COMMISSIONER

Gary H. Hession
COMMISSIONER

IN WITNESS WHEREOF, I, BRIAN C. MCNEIL, Executive Director of the Arizona Corporation Commission, have hereunto set my hand and caused the official seal of the Commission to be affixed at the Capitol, in the City of Phoenix, this 6th day of August, 2008.

Brian C. McNeil
BRIAN C. MCNEIL
EXECUTIVE DIRECTOR

DISSENT _____

DISSENT _____

BM:db

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